

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION**

RONALD L. JESTES, JR.,)	
)	
Plaintiff,)	
)	
v.)	No. 2:11-00059
)	Judge Sharp
SAXON MORTGAGE SERVICES, INC.)	
and OCWEN LOAN SERVICING, LLC,)	
)	
Defendants.)	

ORDER

For the reasons set forth in the accompanying Memorandum, the Court hereby rules as follows:

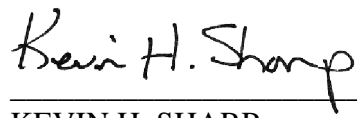
(1) Defendant Saxon Mortgage Services, Inc.’s Motion for Summary Judgment (Docket No. 73) is hereby GRANTED IN PART and DENIED IN PART. The Motion is GRANTED insofar as Plaintiff challenges Saxon’s ability to enforce the Note. The Motion is also GRANTED with respect to Plaintiff’s Real Estate Settlement Procedures Act, negligence, Tennessee Consumer Protection Act, punitive damages, and credit damages claims. Finally, the Motion is GRANTED with respect to Plaintiff’s Fair Debt Collection Practices Act claim to the extent that it is based upon Saxon’s alleged failure to send a Debt Validation Letter, but DENIED with respect to the remainder of his FDCPA claim and his request for emotional damages.

(2) Defendant Ocwen Loan Servicing, LLC’s Motion for Summary Judgment (Docket No. 69) is hereby GRANTED with respect to Plaintiff’s emotional distress claim against it, but in all other respects is hereby DENIED.

By separate Order, the Court will set the remaining claims for final pretrial conference and

trial.

It is SO ORDERED.

A handwritten signature in black ink that reads "Kevin H. Sharp". The signature is written in a cursive style with a large, stylized 'K' and 'S'.

KEVIN H. SHARP
UNITED STATES DISTRICT JUDGE